

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MICHAEL A. BURNHART,

Plaintiff,

v.

DEPARTMENT OF CORRECTION ELDEN
VAIL, *et al*,

Defendants.

Case No. C08-5204RJB-KLS

ORDER GRANTING
APPLICATION TO PROCEED *IN*
FORMA PAUPERIS AND
DIRECTING INSTITUTION TO
CALCULATE, COLLECT, AND
FORWARD PAYMENTS

The Court, having reviewed plaintiff's application to proceed *in forma pauperis*, does hereby find and ORDER.

Plaintiff's declaration indicates he is unable to afford the Court's filing fee or give security therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED. As set forth below, an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of 20 percent of the preceding months income credited to his/her account until the full amount of the filing fee is satisfied.**

Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the average monthly balance in the prisoner's account for the 6-month period immediately preceding the date of this Order. The initial partial filing fee should be forwarded to the Clerk as soon as practicable.

Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to

1 collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to
2 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below
3 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's
4 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee
5 described above. Finally, the monthly payments should be collected and forwarded to the court until the
6 entire filing fee (\$350.00) for this matter has been paid.

7 The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy of
8 this Order along with a copy of plaintiff's Acknowledgement and Authorization portion of the IFP
9 application to the attention of the inmate account manager (IFP account manager at the Department of
10 Corrections).

11 DATED this 8th day of April, 2008.

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15 Karen L. Strombom
16 United States Magistrate Judge
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